

REMARKS

Claims 1 through 14 are pending in the application. Claims 1, 7, and 12 are hereby amended to better define and clarify the invention.

Claims 3 and 4 stand rejected as being indefinite, apparently for reciting the mailbox. These claims depend from claim 1, which is directed to a bracket for securing a mailbox to a post. The mailbox and post are part of the environment of the invention, but, as the preamble of claim 1 makes clear, the invention is the bracket. Claims 3 and 4 further define portions of the bracket, namely the fastener and for securing the mailbox to the bracket. Although the mailbox is recited in these claims, it is not set forth as a positive limitation. Accordingly, Applicant does not believe the rejection under § 112 is proper and the rejection is hereby traversed.

All of the independent claims, 1, 7, and 12 are hereby amended to recite that the sleeve is either “continuous,” “one-piece,” or both. The specification is hereby amended to provide strict verbal antecedent basis for what is illustrated and now claimed. In view of these amendments, Applicant hereby traverses the rejections.

All of the independent claims stood rejected as anticipated by *Zachrich* '915 or obvious over *Zachrich* in view of *Speece* '748. The claims, as amended, specify that the sleeve is either “continuous” (claim 7) or “one-piece” (claim 1) or both (claim 14). This limitation distinguishes the pair of “semi circular legs 40” of *Zachrich*. To the extent *Zachrich* can be construed to disclose a sleeve, it is clearly formed of at least two parts (not including fasteners) and accordingly is neither continuous nor one-piece. Because *Zachrich* does not disclose or suggest a continuous or one-piece sleeve, Applicant submits that the rejections based on § 102 cannot stand.

Neither *Zachrich* nor *Speece* suggest modification of the two-part bracket with semi-circular legs. Indeed *Zachrich* teaches away from the modification by illustrating the bracket used with a cylindrical post as well as a post that is rectangular in cross-

section (Fig. 5) and by stating that an object of the invention is to provide a bracket that is “capable of being adjusted to fit wooden and metal posts of various shapes, such as round, square, hexagonal, and L-shaped.” Col. 1, lines 13-15. The present invention is adapted for use with cylindrical posts only and is not intended to be adjustable. It would not work securely with a rectangular-section post as shown in *Zachrich's* Figure 5.

Still further, the one-piece construction of Applicant's claimed bracket saves manufacturing cost and renders the assembly of the bracket onto a cylindrical post significantly simpler (employing only a single fastener, for instance, and not requiring awkward tightening of bolts on either side of the post). *Speece* does not satisfy these shortcomings in the teaching of *Zachrich*. Accordingly, Applicant submits that the rejection under § 103 may not stand.

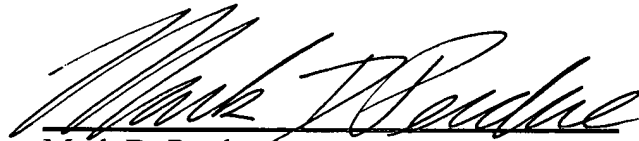
In view of the foregoing, Applicant respectfully submits that all claims are in condition for allowance and respectfully solicits the same.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, allowance of all pending claims so that the application may be passed to issue.

If the Examiner has any questions or desires clarification of any sort, or deems that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Applicant believes no fee is due for the filing of this amendment and response. If this is incorrect, the Commissioner is hereby authorized to charge any fee or credit any overpayment to Deposit Account No. 50-2180.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark D. Perdue", is written over a horizontal line.

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